

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FIREMAN'S FUND INSURANCE,

No. C-03-4406 JCS

Plaintiff(s),

v.

GENERAL REINSURANCE CORP.,

Defendant(s).

**ORDER DENYING DEFENDANT'S  
MOTION THAT COURT DESIGNATE  
"FINDINGS & CONCLUSIONS,"  
JUDGMENT, AND ORDER DENYING  
MOTION TO AMEND AS "NOT FOR  
CITATION" [Docket No. 125]**

On February 15, 2006, Defendant's filed a Motion That Court Designate "Findings & Conclusions," Judgment, And Order Denying Motion To Amend (collectively the "Order") As "NOT FOR CITATION" (the "Motion"). The Court finds that the Motion is appropriate for disposition without oral argument.

DISCUSSION

The Local Rules of this Court authorize a judge to designate his or her orders as "not for citation." Civil L.R. 7-14. The decision on whether or not to cause an order to be so designated has some of the characteristics of a request by a litigant to vacate an order following settlement. *See, e.g., Indep. Union of Flight Attendants v. Pan Am. World Airways, Inc.*, 810 F.Supp. 263, 265 (N.D. Cal. 1992) (Conti, J.) Accordingly, this Court weighs the interest of the litigants against the public interest in finality and the maintenance of judicial precedents.

Here, Defendant asserts that it will be prejudiced in two ways if the Order is not designated as "NOT FOR CITATION."

First, Defendant argues that aspects of its business concern communications that are confidential, privileged, and/or proprietary. However, the Order does not implicate this interest.

1 Second, Defendant asserts that the Court's ruling "may have economic impact" on the parties  
2 beyond the dispute that was before the Court. While that may or may not be true, it merely amounts  
3 to the assertion that judicial precedents have the effect they are intended to have. This Court's  
4 decision is intended to be binding on the parties in this case. It may have collateral estoppel effects,  
5 as is appropriate under the law.

6 Defendant's assertions of prejudice are not shared by Plaintiff in this case. Plaintiff correctly  
7 points out, as the Court noted in its review of this matter, that the case law contained very little  
8 guidance in the area and, accordingly, the maintenance of the instant decision as a citable decision is  
9 in the public interest.

10 Accordingly, the Court exercises its discretion and DENIES the Motion.

11 IT IS SO ORDERED.

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13 Dated: March 10, 2006

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16 JOSEPH C. SPERO  
17 United States Magistrate Judge  
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